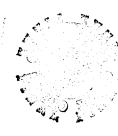
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A Resolution by City Utilities	Committee	Committee	IZConsent □V Vote □RC Vote
Committee	9-7-62	Date	CERTIFIED
A Kesolution authorizing the Mayor or his designated agent to enter into a	Mai. Com. Ll.	Chair	
Municipal Lease and Option Agreement with Georgia Power Company on its	Action:	Action:	
own behalf or on behalf of its affiliates; to enter into an Energy Services	Hav, Mdv, Hold (see rev. side) Other:	Fav, Adv, Hold (see rev. side) Other:	m si de
Agreement with Georgia Power Company on its own behalf or on behalf of its affiliation for the		Members	ATLANTA CITY COUNCIL PRESIDENT
of Froviding backup power for the Jonesboro Road, Paul Avenue and	Christ Street		すれてくてもろ
Rebel Forrest Pumping Stations on behalf of the Department of Public Works Wastewater Services Division in	Refer To	Refer To	
an amount not to exceed \$533,901.00;			
all contracted work shall be charged to and paid from Various. Account and	Committee	Committee	
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Referred To:	Members	Members	
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# A RESOLUTION BY THE CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HIS DESIGNATED AGENT TO ENTER INTO A MUNICIPAL LEASE AND OPTION AGREEMENT WITH GEORGIA POWER COMPANY ON BEHALF OF SOUTHERN COMPANY ENERGY SOLUTIONS, INC. ON ITS OWN BEHALF OR ON BEHALF OF ITS AFFILIATES; TO ENTER INTO AN ENERGY SERVICES AGREEMENT WITH GEORGIA POWER COMPANY ON BEHALF OF SOUTHERN COMPANY ENERGY SOLUTIONS, INC. ON ITS OWN BEHALF OR ON BEHALF OF ITS AFFILIATES; FOR THE PURPOSE OF PROVIDING BACK-UP POWER FOR THE JONESBORO ROAD, PAUL AVENUE AND REBEL FORREST PUMPING STATIONS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, WASTEWATER SERVICES DIVISION IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THIRTY THREE THOUSAND AND NINE HUNDRED AND ONE DOLLARS (\$533,901.00); ALL CONTRACTED WORK SHALL BE CHARGED TO VARIOUS FUND, ACCOUNT, CENTER NUMBERS.

WHEREAS, three facilities of the Wastewater Services Division of the Public Works Department have need of backup electrical service in order to comply with the SSO Consent Order and the City's National Pollutant Discharge Elimination System permits, and to avoid overflow events due to power outages, thereby minimizing the potential for fines levied by the Environmental Protection Division; and

WHEREAS, the three facilities are the Jonesboro Road Pumping Station, Paul Avenue Pumping Station and Rebel Forrest Pumping Station; and

WHEREAS, Georgia Power Company on its own behalf or on behalf of its affiliates, offers to install a generator system at the Jonesboro Road Pumping Station and furnish generators at the remaining facilities, in order to provide backup power; and

WHEREAS, the generator systems at the Paul Avenue and Rebel Forrest Pumping Stations are complete with engineering, training and setup but will be installed by the General Contractor selected for the General Wastewater Pumping Station Improvements Construction Project bid on July 12, 2000; and

WHEREAS, Georgia Power on behalf of Southern Company Energy Solutions, Inc. and its affiliates would provide total maintenance and repair for 10 years on all supplied generators; and

WHEREAS, at the end of the 10 year payment schedule, the generator systems will become the property of the City of Atlanta; and

WHEREAS, the Purchasing Agent has determined that there is only one source for the supply and service of the backup electrical service required, and a copy of the sole source certification is attached hereto.

## NOW THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, THAT:

<u>SECTION 1:</u> The Mayor is hereby authorized to enter into a Municipal Lease and Option Agreement with Georgia Power Company, on its own behalf or on behalf of its affiliates, to lease backup generators, in order to increase the reliability of the Division of Wastewater Services' facilities. Generators will be located at the following three facilities; the Jonesboro Road Pumping Station, Paul Avenue pump



stations and the Rebel Forrest Pumping Station. The scope of work is set forth in the Energy Services Agreement attached hereto.

- SECTION 2: The Mayor is hereby authorized to enter into an Energy Services Agreement with Georgia Power Company, on its behalf or on behalf of its affiliates, to provide backup power service, installation, testing and a maintenance contract, for a total of \$533,901, payable in monthly installments over a ten year period. At the conclusion of the ten years, the City of Atlanta will own the generators.
- **SECTION 3:** The City Attorney is hereby authorized to make such changes to the substance of the Municipal Lease and Option Agreement and the Energy Services Agreement as are necessary to protect the City of Atlanta's interests, and to approve said agreement as to form.
- SECTION 4: The Municipal Lease and Option Agreement and the Energy Services Agreement shall not become binding on the City and the City shall incur no liability upon same until such agreements have been executed by the Mayor: approved as toform by the City Attorney, sealed by the Municipal Clerk, and delivered to the contracting party.

SECTION 5: All services to be performed under said lease and agreements shall be charged to and paid from Various Funds, Accounts and Center Numbers.

Deputy Municipal Clerk

**ADOPTED** as amended APPROVED by the Mayor

September 18, 2000 September 26, 2000

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3	Jonesboro Rd., Paul Ave. and Rebel Forrest Energy Services Agreement
4	Master Lease Schedule
5	Exhibit A Equipment Description
6	Exhibit B Delivery & Acceptance
7	Exhibit C Amortization Schedule
8	Exhibit D Opinion of Counsel
9	Exhibit E-1 Certificate of Resolution
10	Essential Use
7-1	Form 8038 –G Tax Form
12	Arbitrage Certificate
13	Notice of Assignment
14	Escrow Agreement with Exhibits
15	UCC's



## CITY OF ATLANTA

BILL CAMPBELL MAYOR

Division of Wasterwater Services
Technical Services Branch
Engineering

Engineering 2440 Bolton Road, N.W., Atlanta Georgia 30318-1355 Phone: 404-350-4981 Fax: 404-350-4951

DEPARTMENT OF PUBLIC WORKS Norman A. Koplon, P.E. Commissioner

## **MEMORANDUM**

DATE: July 8, 2000

TO: Bea Shell

FROM: John Reinhard, P.E.

REF: Georgia Power Contracts - Jonesboro Road Pumping Station, Paul Avenue Pumping

Station and Rebel Forrest Pumping Station Generators

Enclosed are the draft contracts to furnish, install and maintain a generator for the Jonesboro Road Pumping Station located at the South River WRC and the two generators located at the Paul Avenue Pumping Station and Rebel Forrest Pumping Stations. I have attached a cost breakdown that will assist you in charging the money. Please get with Joe Porter to see which fund we can charge the Jonesboro Generator Capital. Besides 2J21, it could to the 2J25 account for South River phosphorus control as we did upgrade the Jonesboro Pumping Station under the original South River Improvements Project.

Please prepare the requisitions and forward the package to David Peters for signature. Thank you.

## City of Atlanta **Price Break-Down**

### South River WRC

#### Jonesboro Road Pumping Station

1 each 750kW Diesel Generator Set – South River WRC 2J21

2 each 600a Automatic Transfer Switch 1 each 1000 Gallon Sub-Base Tank

10 Year TMR – Annual Budget for M55001 2J01

One lot of installation – South River 2J21

\$148,750.00 Capital

Included in above Included in above

\$ 56,000.00 Non-Capital

\$ 78,708.00 Capital

Total: \$283,458.00

## **Pumping Stations**

#### Rebel Forrest

1 each 150kW Diesel Generator Set - 2J26 M57I15019999 PS \$ 55,150.00 Capital

1 each 600a Automatic Transfer Switch

1 each 1000 Gallon Concrete Tank - 2J26 M57I15019999 PS

One lot of installation – 2J26 M57I15019999 PS

10 Year TMR - Annual Budget from M578012J01

Included in above

\$ 11,500.00 Capital \$ 54,255.00 Capital

\$ 48,500.00 Non-Captial

Total: \$169,405.00

#### Paul Avenue

1 each 50kW Diesel Generator Set - 2J26 M57l15019999 PS

1 each 200a Automatic Transfer Switch

1 each 500 Gallon Sub-Base Tank - 2J26 M57I15019999

One lot of installation

10 Year TMR Annual Budget for M57301 2J01

\$ 16,850.00 Capital

Included in above Included in above

\$ 28,438.00 Capital

\$ 35,750.00 Non-Capital

Total: \$81,038.00

### Capital Requisition Total

South River 2J21 \$227,458.00

Pumping Station 2J26M57I15019999 \$166,193.00

TMR

South River \$ 56,000.00 **Pumping Stations 2J01** \$ 84,250.00



## CITY OF ATLANTA

BILL CAMPBELL MAYOR

Division of Wasterwater Services Technical Services Branch Engineering DEPARTMENT OF PUBLIC WORKS Norman A. Koplon, P.E. Commissioner

2440 Bolton Road, N.W., Atlanta Georgia 30318-1355 Phone: 404-350-4981 Fax: 404-350-4951

### <u>MEMORANDUM</u>

DATE:

July 12, 2000

TO:

Felicia Strong --Whitaker, Director Bureau of Purchasing and Real Estate

FROM:

David Peters, P.E., Acting Deputy Commissioner

Department of Public Works

PROJECT:

Jonesboro Road Pumping Station, Paul Avenue Pumping Station and

Rebel Forrest Pumping Station Generators

REF:

**Public Works Recommendations** 

Enclosed are the draft contracts for Georgia Power to furnish, install and maintain generators at the above referenced pumping stations. These contracts are needed to comply with the WRC and SSO consent orders for standby power at our pumping stations. Please expedite.

The contracts include the following documents

- 1. Energy Services Agreement
- 2. City of Atlanta Price Breakdown
- 3. Scope of Work
- 4. Lease Agreement (leasing schedule, Exhbit A, B, C, D, E-1, essential use/source funds letter, arbitrage certificate, and form 8038-G)
- 5. Escrow Agreement
- 6. State of Georgia Financing Statement

Please prepare and execute final contracts to furnish, install, and maintain a generator at the Jonesboro Road Pumping Station (\$283,458) and generators at the Rebel Forrest and Paul Avenue Pumping Stations (\$250,443).

Thank you for your assistance. If you need any addition information, please do not hesitate to call me at (404) 330-6230 or call John Reinhard at (404) 350-4981

Cc:

Norman A. Koplon, P.E. Susan Bronston Keith Brooks John Reinhard, P.E. Joe Porter

Marcia Hurd-Wade

### Exhibit A

## CITY OF ATLANTA



## OFFICE OF MUNICIPAL CLERK

STATE OF GEORGIA

CITY OF ATLATNA

#### **COUNTY OF FULTON**

I, Rhonda Dauphin Johnson, do hereby certify that I am the duly appointed Municipal Clerk of the City of Atlanta, Georgia, and as such am in charge of keeping the Minutes of the City Council of the said City of Atlanta. I further certify that the attached is a true and correct copy of Resolution 99-R-0416, which was adopted by the City Council March 15, 1999 and approved by the Mayor March 23, 1999. I still further certify that said resolution has not been repealed or amended and remains in full force and effect; with this certification and said resolution being identified as Exhibit A

A RESOLUTION BY THE CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL LEASE AND OPTION AGREEMENT WITH GEORGIA POWER COMPANY ON ITS OWN BEHALF OR ON BEHALF OF ITS AFFILIATES; TO ENTER INTO AN ENERGY SERVICE AGREEMENT WITH GEORGIA POWER COMPANY ON ITS OWN BEHALF OR ON BEHALF OF ITS AFFILIATES; FOR THE PURPOSE OF PROVIDING BACK-UP POWER FOR THE ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, WASTEWATER SERVICES DIVISION IN AN AMOUNT NOT TO EXCEED FIVE HUNDREDTHIRTY THREE THOUSAND NINE HUNDRED AND ONE DOLLARS (\$533,901); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACOUNT, CENTER NUMBER: 2J21 575002 M55001 AND 2J26 M57115019999.

All as the same appears from the original, which is of record, and on file in my said office

GIVEN under my hand and seal of office this 29<sup>th</sup> day of June 1999.

Municipal Clerk, CMC

#### Exhibit A

#### A RESOLUTION

## BY THE CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HIS DESIGNATED AGENT TO ENTER INTO A MUNICIPAL LEASE AND OPTION AGREEMENT WITH GEORGIA POWER COMPANY ON ITS OWN BEHALF OR ON BEALF OF ITS AFFILIATES; TO ENTER INTO AN ENERGY SERVICES AGREEMENT WITH GEORGIA POWER COMPANY ON ITS OWN BEHALF OR ON BEHALF OF ITS AFFILIATES; FOR THE PURPOSE OF PROVIDING BACK-UP POWER FOR THE JONESBORO ROAD, PAUL AVENUE AND REBEL FORREST PUMPING STATIONS ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, WATEWATER SERVICES DIVISION IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THIRTY THREE THOUSAND NINE HUNDRED AND ONE DOLLARS (\$533,901); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FORM FUND, ACCOUNT, CENTER NUMBRES; 2J21 575002 M55001 AND 2J26 M57 \$15019999.

WHEREAS, three facilities of the Wastewater Services Division of the Public Works Department have need of backup electrical service in order to comply with the SSO Consent Order and the City's National Pollutant Discharge Elimination System permits, and to avoid overflow events due to power outages, thereby minimizing the potential for fines levied by the Environmental Protection Division; and

WHEREAS, three facilities are the Jonesboro Road Pumping Station, Paul Avenue Pumping Station and Rebel Forrest Pumping Station; and

WHEREAS, Georgia Power Company on its own behalf or on behalf of its affiliates, offers to installs generator system at the Jonesboro Road Pumping Station and furnish generators at the remaining facilities, in order to provide backup power; and

WHEREAS, the generator systems at the Paul Avenue and Rebel Forrest Pumping Stations are complete with engineering, training and setup but will be installed by the General Contractor selected for the General Wastewater Pumping Station Improvements Construction Project bid on July 12, 2000; and

WHEREAS, Georgia Power and its affiliates would provide total maintenance and repair for 10 years on all supplied generators; and

WHEREAS, at the end of the 10 year payment schedule, the generator systems will become the property of the City of Atlanta; and

WHEREAS, the Purchasing Agent has determined that there is only one source for the supply and service of the backup electrical service required, and a copy of the sole source certification is attached hereto.

NOW THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, THAT:

Section 1. The Mayor is hereby authorized to enter into a Municipal Lease and Option Agreement with Georgia Power Company, on its own behalf or on behalf of its affiliates, to lease backup generators, in order to greatly increase the reliability of the Division of Wastewater

Services' facilities. Generators will be located the three facilities; the Jonesboro Road Pumping Station, Paul Avenue and the Rebel Forrest Pumping Station. The scope of work is set forth in the Energy Services Agreement, which is referenced in Section 2, below.

Section 2. The Mayor is hereby authorized to enter into an Energy Services Agreement with Georgia Power Company, on its behalf or on behalf of its affiliates, to provide backup power service, installation, testing and a maintenance contract, for a total of \$533,901, payable in monthly installments over a ten-year period. At the conclusion of the ten years, the City of Atlanta will own the generators.

Section 3. The City Attorney is hereby authorized to make such changes to the substance of the Municipal Lease and Option Agreement and the Energy Services Agreement as are necessary to protect the City of Atlanta's interests, and to approve said agreement as to form.

Section 4. The Municipal Lease and Option Agreement and the Energy Services Agreement shall not become binding on the City and the City shall incur no liability upon same until such agreements have been executed by the Mayor: approved as to form by the City Attorney, sealed by the Municipal Clerk, and delivered to the contracting party.

Section 5. All services to be performed under said lease and agreements shall be charged to and paid from Account Numbers: 2J21 575002 M55001 and 2J26 M57I15019999

A true copy,

Municipal Clerk, CMC

# LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL FOR COPY OR TO VIEW